

ESTTA Tracking number: **ESTTA755331**

Filing date: **06/29/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Base Camp Hotels, LLC		
Entity	limited liability company	Citizenship	California
Address	59 Chenery Street San Francisco, CA 94131 UNITED STATES		

Attorney information	Pamela N. Hirschman Sheridan Ross P.C. 1560 Broadway, Suite 1200 Denver, CO 80202 UNITED STATES phirschman@sheridanross.com Phone:303-863-9700
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Applicant Information

Application No	86862328	Publication date	05/31/2016
Opposition Filing Date	06/29/2016	Opposition Period Ends	06/30/2016
Applicant	Talkeetna Basecamp 40143 Malaspina Loop Rd Talkeetna, AK 99676 UNITED STATES		

Goods/Services Affected by Opposition

Class 043. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: Bed and Breakfast overnight lodging service

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	4785214	Application Date	12/08/2014
Registration Date	08/04/2015	Foreign Priority Date	NONE
Word Mark	BASECAMP HOTEL		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 043. First use: First Use: 2012/06/00 First Use In Commerce: 2012/06/00 Hostels; Hotel services; Resort hotel services; Resort lodging services

Attachments	86473838#TMSN.png(bytes) Notice of Opposition.pdf(842239 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Pamela N. Hirschman/
Name	Pamela N. Hirschman
Date	06/29/2016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Trademark Application No. 86/862,328
For the Mark "TALKEETNA BASECAMP"
Published in the Official Gazette On: May 31, 2016

Base Camp Hotels, LLC)	
)	
Opposer,)	
)	
v.)	Opposition No. _____
)	
Talkeetna Basecamp)	
)	
Applicant.)	

NOTICE OF OPPOSITION

Base Camp Hotels, LLC, ("Opposer"), a California limited liability company, having an address at 59 Chenery Street, San Francisco, CA 94131, believes it will be damaged by the registration of the mark "TALKEETNA BASECAMP" for "bed and breakfast overnight lodging services" in International Class 43, which is the subject of U.S. Trademark Application Serial No. 86/862,328, filed in the name of Talkeetna Basecamp, ("Applicant"), a sole proprietorship composed of Peter Armington, and hereby opposes the same.

As grounds for this Opposition, Opposer alleges:

1. Opposer's filing of this Notice of Opposition is timely. Applicant's U.S. Trademark Application Serial No. 86/862,328 for "TALKEETNA BASECAMP" published for opposition in the May 31, 2016 U.S. Patent and Trademark Office's *Official Gazette*; therefore,

the deadline to file the notice of opposition is June 30, 2016. Opposer's filing of this Notice of Opposition is prior to the June 30, 2016 deadline.

2. Opposer is the owner of U.S. Trademark Registration 4,785,214 for the mark "BASECAMP HOTEL", which was filed on December 8, 2014, registered on August 4, 2015 and claims a date of first use of June 2012 for "hostels; hotel services; resort hotel services; resort lodging services," in International Class 43 ("Applicant's Services"). A photocopy of the TSDR status for this registration is attached hereto at Exhibit 1.

3. Opposer is currently using and has used the "BASECAMP HOTEL" trademark in commerce since at least as early as June 2012 in connection with Applicant's Services.

4. Opposer has devoted substantial time, money and effort in establishing and maintaining a high standard of quality for all services provided under the "BASECAMP HOTEL" trademark. As a consequence, Opposer's "BASECAMP HOTEL" trademark has become widely and favorably known to the public. In view of this public recognition, Opposer has developed substantial goodwill and name recognition in its "BASECAMP HOTEL" trademark.

5. Upon information and belief, Applicant is the owner of U.S. Trademark Application Serial No. 86/862,238 for "TALKEETNA BASECAMP", filed on December 30, 2015, for " bed and breakfast overnight lodging services" in International Class 43, on the basis of an intent to use the mark.

6. As a result of the public's association of the "BASECAMP HOTEL" trademark with Opposer, as well as Opposer's prior rights, in the nature of an earlier U.S. trademark application filing date and earlier first use in commerce date for its "BASECAMP HOTEL" mark, Applicant's use and registration of the confusingly similar mark "TALKEETNA BASECAMP" in connection with lodging services in International Class 43 is likely to cause

confusion, mistake or deception as to the source, origin or affiliation of Applicant's goods in view of the highly similar nature of the marks, similar nature of the services, similar nature of the customers, similar nature of the channels of the trade, and other factors.

7. If U.S. Trademark Application Serial No. 86//862,328 for "TALKEETNA BASECAMP" is permitted to issue, despite this likelihood of confusion, Opposer's exclusive right to the use of its "BASECAMP HOTEL" mark in connection with lodging services will be damaged.

WHEREFORE, Opposer prays that this Notice of Opposition be sustained and that the application for registration of U.S. Trademark Application Serial No. 86/862,328 for "TALKEETNA BASECAMP" in International Class 43 be denied and refused. The filing fee of \$300.00 is being submitted electronically with this Notice of Opposition.

Date: 6/29/16

Respectfully submitted,

SHERIDAN ROSS, P.C.



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CERTIFICATE OF SERVICE

I, Brenda Carpenter, do hereby certify that a copy of the foregoing Notice of Opposition was served by first class mail, postage prepaid, on the 29th day of June 2016, upon Applicant:

Talkeetna Basecamp
40143 Malaspina Loop Rd.
Talkeetna, AK 99676



EXHIBIT 1

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Mark: BASECAMP HOTEL

BASECAMP HOTEL

US Serial Number: 86473838

Application Filing Date: Dec. 08, 2014

US Registration Number: 4785214

Registration Date: Aug. 04, 2015

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Aug. 04, 2015

Publication Date: May 19, 2015

Mark Information

Mark Literal Elements: BASECAMP HOTEL

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "HOTEL"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks * identify additional (new) wording in the goods/services.

For: Hostels; Hotel services; Resort hotel services; Resort lodging services

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 2012

Use in Commerce: Jun. 2012

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: BASE CAMP HOTELS, LLC

Owner Address: 59 Chenery Street
San Francisco, CALIFORNIA 94131

UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: CALIFORNIA
Where Organized:

Attorney/Correspondence Information

Attorney Name: Pamela N. Hirschman
Attorney Primary Email Address: phirschman@sheridanross.com

Docket Number: 8056-1

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: PAMELA N. HIRSCHMAN
SHERIDAN ROSS P.C.
1560 BROADWAY STE 1200
DENVER, COLORADO 80202-5145
UNITED STATES

Phone: 303-863-9700

Fax: 303-863-0223

Correspondent e-mail: phirschman@sheridanross.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 04, 2015	REGISTERED-PRINCIPAL REGISTER	
May 19, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 19, 2015	PUBLISHED FOR OPPOSITION	
Apr. 29, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 14, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Apr. 13, 2015	ASSIGNED TO LIE	68552
Mar. 24, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 23, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 23, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 23, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 23, 2015	EXAMINERS AMENDMENT -WRITTEN	73708
Mar. 22, 2015	ASSIGNED TO EXAMINER	73708
Dec. 13, 2014	NOTICE OF PSEUDO MARK E-MAILED	
Dec. 12, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 11, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 04, 2015